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The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 21] नई दिल्ली, शनिवार, मई 21, 1966/वैशाख 31, 1888

No. 21] NEW DELHI, SATURDAY, MAY 21, 1966/VAISAKHA 31, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 7 मई 1966 तक प्रकाशित किये गये।

The undermentioned Gazettes of India Extraordinary were published up to the 7th May 1966 :—

Issue No.	No. and Date	Issued by	Subject
133	S.O. 1400, dated the 29th April, 1966.	Ministry of Information and Broadcasting.	Approval of the film as specified therein.
134	S.O. 1401, dated the 5th May, 1966.	Ministry of Commerce.	Appointment of Shri T. B. Nagarajan, as authorised Controller to enquire into the affairs of Shri Bharathi Mills Ltd., Pondicherry.
135	S.O. 1402, dated the 6th May, 1966.	Election Commission, India.	Promotions of Electoral Officer and Assistant Electoral Officers for the Andaman & Nicobar Parliamentary constituency.
136	S.O. 1403, dated the 6th May, 1966.	Ministry of Home Affairs.	Order made by the President for general information.

Issue No.	No. and Date	Issued by	Subject
137	S.O. 1404, dated the 3rd May, 1966.	Ministry of Information and Broadcasting.	Approval of the film as specified therein.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिएं।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षामंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 10th May 1966

S.O. 1469.—In continuation of the Notification of the Government of India in the Ministry of Home Affairs No. S.R.O. 1470 dated the 24th July, 1953, and in pursuance of clause (b) of sub-section (2) of section 508A of the Code of Criminal Procedure, 1898 (5 of 1898), the Central Government hereby specifies the Special Crime Courts exercising jurisdiction in the Union of Burma and having authority, under the law in force in that country, as the Courts by which commissions for the examination of witnesses residing in India in relation to Criminal matters may be issued.

[No. F. 11/6/65-Judl.II.]

B. SHUKLA, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 16th May 1966

S.O. 1470.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (VII of 1922), the Central Government hereby appoints Shri P. Parameswaran, Officiating Superintendent, Regional Passport & Emigration Office, Madras to be Protector of Emigrants, Madras in addition to his own duties with effect from January 14, 1966 to March 11, 1966 (A/N) *vice* Shri V. Radhakrishnan.

In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (VII of 1922), the Central Government hereby appoints Shri V. T. Menon, Public Relations Officer, Regional Passport & Emigration Office, Madras, to be Protector of Emigrants, Madras in addition to his own duties with effect from March 11, 1966 (A/N) *vice* Shri Parameswaran.

[No. CPEO/5/66.]

[No. V. IV/601/20/65.]

V. A. KIDWAI, Dir. (PV) & Chief Passport Officer.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 10th May 1966..

S.O. 1471.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President hereby makes the following rules further to amend the Delegation of Financial Powers Rules, 1958, namely:—

1. These rules may be called the Delegation of Financial Powers Amendment Rules, 1966.

2. In the Delegation of Financial Powers Rules, 1958,

(a) in clause (a) of sub-rule (5) of rule 10, for the words and figures "Appendix 9 and Appendix 10 respectively to the General Financial Rules", the words and figures "Appendix 8 and Appendix 9 respectively to the General Financial Rules, 1963", shall be substituted;

(b) in Schedule II, under the sub-heading 'Administrators', for items (i) to (iii) and the entries relating thereto in the first column, the following shall be substituted, namely:—

"(i) Lieutenant Governor, Himachal Pradesh, Lieutenant Governor, Goa, Daman and Diu, Lieutenant Governor, Pondicherry, Chief Commissioner, Delhi and Administrator, Dadra and Nagar Haveli.

(ii) Other Administrators (excluding Administrator, Laccadive, Minicoy and Amindivi Islands)

(iii) Administrator, Laccadive, Minicoy and Amindivi Islands.";

(c) In Schedule III under the sub-heading 'Administrators', for items (i) to (iv) and the entries relating thereto in the first column, the following shall be substituted, namely:—

"(i) Lieutenant Governor, Himachal Pradesh, Lieutenant Governor, Goa, Daman and Diu, Chief Commissioner, Delhi and Administrator, Dadra and Nagar Haveli.

(ii) Lieutenant Governor, Pondicherry.

(iii) Other Administrators (except Administrator, Laccadive, Minicoy and Amindivi Islands)

(iv) Administrator, Laccadive, Minicoy and Amindivi Islands.";

(d) in the Annexure to Schedule V,

(i) for the entry in column 4 against items 14(i) and (ii), the following entry shall be substituted, namely:—

"In exercising these powers, the provisions of rules 137, 141 and 142 of the General Financial Rules, 1963, shall be observed.";

(ii) against item 23(b) in column 4,

(a) in paragraph (3) (A) for the words 'Lieutenant Governors of Himachal Pradesh, Pondicherry and Goa, Daman and Diu', the following shall be substituted, namely:—

'Lieutenant Governors of Himachal Pradesh, Pondicherry, Goa, Daman and Diu, Administrator Dadra and Nagar Haveli";

(b) in paragraph (3) (C) the words "and Administrator of Dadra and Nagar Haveli" shall be omitted.;

(e) in Schedule VI, under the sub-heading 'Administrators for item (i) and the entries relating thereto in the first column the following shall be substituted, namely:—

(i) Lieutenant Governor, Himachal Pradesh, Goa, Daman and Diu, Pondicherry, Chief Commissioner, Delhi and Administrator, Dadra and Nagar Haveli.";

(f) in Schedule VII,

(i) for "Note 2", the following Note shall be substituted, namely:—

"Note 2. Write off losses of cash in treasuries, whether in the course of remittance or out of treasury balances, are governed by separate rules".;

(ii) in the second column under the sub-heading 'Administrators' appearing against the entry in the first column 'Irrecoverable losses of stores or of public money' for item (i), the following shall be substituted, namely:—

"(i) Lieutenant Governor, Himachal Pradesh, Lieutenant Governor, Goa, Daman and Diu, Lieutenant Governor, Pondicherry, Chief Commissioner, Manipur, Chief Commissioner, Tripura, Chief Commissioner, Delhi and Administrator Dadra and Nagar Haveli."

[No. F. 1(1)-E.II(A)/66.]

K. N. SINGH, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 12th May 1966

S.O. 1472.—Statement of the Affairs of the Reserve Bank of India as on the 6th May 1966

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid up	5,00,00,000	Notes	23,53,99,000
		Rupee Coin	3,87,000
Reserve Fund	80,00,00,000	Small Coin	5,02,000
National Agricultural Credit (Long Term Operations) Fund	100,00,00,000	Bills Purchased and Discounted :—	
		(*a*) Internal	..
		(*b*) External	..
		(*c*) Government Treasury Bills	116,36,11,000
National Agricultural Credit (Stabilisation) Fund	10,00,00,000	Balances Held Abroad*	19,12,90,000
		Investments**	260,80,19,000
National Industrial Credit (Long Term Operations) Fund	15,00,00,000	Loans and Advances to :—	
		(*i*) Central Government	..
		(*ii*) State Governments (@)	150,89,54,000

LIABILITIES	Rs.	ASSETS	Rs.
Deposits :—		Loans and advances to :—	
(a) Government :—		(i) Scheduled Banks†	39,80,37,000
		(ii) State Co-operative Banks‡	126,72,26,000
		(iii) Others	3,40,69,000
(i) Central Government	51,78,64,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—	
(ii) State Governments	24,00,77,000	(a) Loans and Advances to :—	
		(i) State Governments	29,41,21,000
		(ii) State Co-operative Banks	10,14,62,000
		(iii) Central Land Mortgage Banks	..
(b) Banks :—		(b) Investment in Central Land Mortgage Bank Debentures	5,53,22,000
		Loans and Advances from National Agricultural Credit (Stabilisation) Fund—	
(i) Scheduled Banks	118,96,80,000		
(ii) State Co-operative Banks	4,59,79,000	Loans and Advances to State Co-operative Banks	3,26,000
(iii) Other Banks	3,25,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—	
(c) Others	280,12,29,000	(a) Loans and Advances to the Development Bank	3,08,87,000
		(b) Investment in bonds/debentures issued by the Development Bank	..
Bills Payable	41,92,53,000		
Other Liabilities	105,18,98,000	Other Assets	47,66,93,000
Rupees	836,63,05,000	Rupees	836,63,05,000

*Includes Cash and Short-term Securities.

**Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 29,75,37,000 advanced to scheduled banks against usance bills under section 17(4)(c) of the R. B. I. Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 11th day of May, 1966.

An account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 6th day of May 1966

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	23,53,99,000		Gold Coin and Bullion :—		
Notes in Circulation	2994,23,88,000		(a) Held in India	115,89,25,000	
			(b) Held outside India	..	
Total Notes issued		3017,77,87,000			
			Foreign Securities	165,05,24,000	
			TOTAL		280,94,49,000
			Rupee Coin		85,55,21,000
			Government of India Rupee Securities		2651,28,17,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		3017,77,87,000	TOTAL ASSETS		3017,77,87,000

Dated the 11th day of May, 1966.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(3)-BC/66.]

R. K. SESHADRI,
Director (Banking).

CORRIGENDUM

In the Statement entitled 'An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 25th day of March, 1966—Issue Department' the figure against the item "Foreign Securities" under Assets side should read as 95,05,24,000 instead of 95,06,24,000.

(Department of Economic Affairs)

New Delhi, the 13th May 1966

S.O. 1473.—In exercise of the powers conferred by sub-section (2) of section 28 of the Securities Contracts (Regulation) Act, 1956 (42 of 1956), the Central Government, being satisfied that in the interests of trade and commerce and the economic development of the country it is necessary so to do, hereby specifies contracts for or relating to the purchase or sale of shares of any Government company, as defined in section 617 of the Companies Act, 1956 (1 of 1956), which are not listed on any recognised stock exchange in India as the contracts to which the Securities Contracts (Regulation) Act, 1956, shall not apply, provided that such contracts for purchase or sale of shares are approved by the Central Government.

[No. F. 1/1/SE/EAD/66.]

S. S. SHIRALKAR, Addl. Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 11th May 1966

S.O. 1474.—In exercise of the powers conferred by Section 126 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following addition to the Schedule annexed to its Notification No. 1(F. No. 55/233/63-IT) dated the 18th May, 1964:—

After Serial No. 20 in the said Schedule, the following item shall be added:

1	2	3	4	5	6
21.	Employees of Diesel Locomotive Works, Manuadih, Varanasi	Income-tax Officer, D-Ward, Varanasi	Inspecting Assistant Commissioner of Income-tax, Varanasi	Appellate Assistant Commissioner of Income-tax, Range I, Varanasi	Commissioner of Income-tax, U.P.I, Lucknow

This notification shall take effect from 1st June, 1966.

[No. 5 (F. No. 55/29/65-IT).]

G. M. KULKARNI, Under Secy.

POONA CENTRAL EXCISE COLLECTORATE

Poona, the 7th April 1966

S.O. 1475.—In exercise of the powers conferred on me under Rules 15 and 16 of the Central Excise Rules, 1944, I hereby notify all the twenty districts following in the Poona Central Excise Collectorate as spares growing areas for the purpose of the said Rule 15 and 16 of the Central Excise Rules, 1944. In these areas persons cultivating coffee on lands measuring not more than eight acres shall be exempt from the provisions of Rule 15 and persons curing 27 Kilograms or less of coffee shall be exempt from the provisions of Rule 16.

[No. 4/66.]

A. K. BANDYOPADHYAY,
Collector of Central Excise, Poona.

MINISTRY OF COMMERCE

New Delhi, the 25th April 1966

S.O. 1476.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order further to amend the Cotton Textiles (Control) Order, 1948, namely:—

I. This Order may be called the Cotton Textiles (Control) Third Amendment Order, 1966.

II. In the Cotton Textiles (Control) Order, 1948, for clause 13, the following shall be substituted, namely:—

"13(1) Save in accordance with a permission, in writing, issued by the Textile Commissioner, no person shall manufacture or cause to be manufactured any cloth containing any sizing or filling material or both of any description which exceeds in the aggregate ten per centum of the weight of the cotton in the cloth.

(2) In granting or refusing permission under sub-clause (1), the Textile Commissioner shall have regard to the following matters, namely:—

(i) availability of sizing or filling material in the country;

(ii) the clothing habits of the people in any particular area;

(iii) the demand for heavy-sized cloth in overseas markets,

(iv) the need to satisfy experimental requirements; and

(v) any other relevant circumstance".

[No. 1(4)-Tex(I)/65.]

A. G. V. SUBRAHMANIAM, Under Secy.

(Office of the Joint Chief Controller of Imports & Exports)

ORDER

Bombay, the 21st January 1966

S.O. 1477.—Whereas M/s.. Subhas Industries, Sunbeam, Electric Compound, Bombay Agra Road, Bhandup, Bombay-78 or any Bank or any other person have not came forward furnishing sufficient cause against Notice No. 1/40/65/CDN. II/4659 dated 15th December, 1965 proposing to cancel the licence No. P/SS/1528922/C/XX/20/C/B/19/20/AU.8/SSI/Annual dated 24th December, 1964. for import of thermostats valued at Rs. 1,100 granted to M/s. Suhas Industries, Bombay by the Joint Chief Controller of Imports and Exports, Bombay, Government of India, Ministry of Commerce in exercise of the powers conferred by clause 9(a)(c) and (cc) of the Imports (Control) Order 1955 hereby cancel the said licence No. P/SS/1528922/C/XX/20/C/B/19/20/AU.8/SSI/Annual dated 24th December, 1964, issued to the said M/s. Suhas Industries, Bombay.

[No. 1/40/65/CDN. II.]

N. BANERJI,

Dy. Chief Controller of Imports & Exports,
Bombay.

MINISTRY OF IRON AND STEEL

CORRIGENDUM

New Delhi, the 12th May 1966

S.O. 1478./ESS/COMM/IRON & STEEL/66.—In the Notification of the Government of India in the Ministry of Iron and Steel No. S.O. 1267-ESS. COMM/IRON AND STEEL/66 dated the 22nd April, 1966 published in Part II Section 3(ii) of the Gazette of India Extraordinary dated the 22nd April, 1966 in Schedule No. IV (Prime Quality Steel and Semis) please insert:—

(A) Against S. No. (1) both under Col. I, Standard, and under Col. III Off-grade please *read* 580 instead of 850.

(B) Against S. No. (2), under Col. III, Commercial *for* 13 *read* 913.

(C) Against S.No. (4), under Col. III, Standard, please insert 1270.

[No. SC(C)-2(34)/65.]

A. N. RAJAGOPALAN, Under Secy.

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND COOPERATION

(Indian Council of Agricultural Research)

New Delhi, the 7th May 1966

S.O. 1479.—The following amendments to the Standing Finance Committee Regulations, 1940, made by the Indian Council of Agricultural Research, with the previous approval of the Central Government in pursuance of sub-section (2) of section 7 of the Agricultural Produce Cess Act, 1940 (27 of 1940), are published for general information, namely:—

In the said regulations, for regulations 2, 9 and 16, the following regulations shall, respectively, be substituted, namely:—

"2. The Committee shall consist of the following members:—

(i) The Secretary to the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation, (Department of Agriculture) (ex-officio).

(ii) Director-General, Indian Council of Agricultural Research.

(iii) Financial Adviser to the Indian Council of Agricultural Research.

(iv) Seven members elected annually be the Governing Body of the Council (including two eminent scientists, one representative of the agriculturists and one representative of Parliament)".

"9. The Committee shall have the following functions, namely:—

(i) to examine and scrutinise the accounts and the annual budget estimates, the revised estimates and the supplementary estimates, if any, of the Council, including those relating to research and education schemes financed by the Council and the various research institutes under the Council, audit notes, proposals for block grants to the various State Governments and to other scientific institutions such as Universities and the like, and submit the same to the Governing Body with its recommendations;

(ii) to review the financial position of the Council from time to time;

(iii) to scrutinise all proposals for amendment of the bye-laws of the Council affecting delegation of financial powers by the Governing Body; and

(iv) such other functions in respect of financial matters as may, from time to time, be assigned to the Committee by the Governing Body".

"16. Notwithstanding anything contained in regulations 14 and 15, the Financial Adviser may, in the event of his disagreement with the other members of the Committee in respect of any matter, require a reference to be made by the Committee to the Governing Body in respect of such matter".

[No. F. 2-34/66-Reorgn. (Adm.).]

R. K. RAM, Under Secy.

MINISTRY OF HEALTH & FAMILY PLANNING

New Delhi, the 11th May 1966

S.O. 1480.—The following draft of rules further to amend the Drugs and Cosmetics Rules, 1945, which the Central Government proposes to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by sections 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940),

is published, as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 31st July, 1966.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government:—

Draft Rules

1. These rules may be called the Drugs and Cosmetics (Amendment) Rules, 1966.

2. In Form 8 of the Drugs and Cosmetics Rules, 1945, for the figures "XXVII" the figures "XXIII" shall be substituted.

[No. F. 1-67/64-D.]

AMAR NATH VARMA, Under Secy.

New Delhi, the 13th May 1966

S.O. 1481.—In exercise of the powers conferred by sub-section (4) of section 13 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in Part II of the Third Schedule to the said Act, namely:—

In the said Part II of the Third Schedule, after the entry "Diploma Arts (Physician)—Nigmegen University (Netherland)", the following entries shall be inserted namely:—

"L.M. & S. (Rangoon University).—This qualification shall be a recognised medical qualification when granted on or after the 1st April, 1937.

L.M.P. (Burma).—This qualification shall be a recognised medical qualification when granted on or after the 1st April, 1937".

[No. F. 32-15/63-MPT.]

K. M. L. GUPTA, Under Secy.

ORDER

New Delhi, the 6th May 1966

S.O. 1482.—Whereas the Government of India in the Ministry of Health has by notification No. F. 5-10/59-MI, dated the 1st April, 1960, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. granted by the North Western University, Medical School, Chicago, Illinois, U.S.A., for the purposes of the said act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies the period of two years with effect from the 1st July, 1965 or so long as Dr. John N. Wilson who possesses the said qualification, continues to work in the Christian Medical College & Hospital, Vellore, to which he is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practice of the said Dr. John N. Wilson shall be limited.

[No. F. 19-3/66-MPT.]

K. M. L. GUPTA, Under Secy.

DEPARTMENT OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 11th May 1966

S.O. 1483.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director-General, Posts and Telegraphs, hereby specifies the 16th May, 1966 as

the date on which the Measured Rate System will be introduced in UJJAIN Telephone Exchange.

[No. 5/26/66-PHB.]

New Delhi, the 13th May 1966

S.O. 1484.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1st June, 1966 as the date on which the Measured Rate System will be introduced in Tellicherry Telephone Exchange.

[No. 5/18/66-PHB.]

D. R. BAHL,
Assistant Director General (PHB).

संचार विभाग

(डाक-तार बोर्ड)

नई दिल्ली दिनांक 11 मई 1966

एस० ओ० 1485.—स्थाई आदेश क्रमसंख्या 627, दिनांक 8 मार्च 1960 द्वारा लागू किए गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने उज्जैन टेलीफोन केन्द्र में 16-5-66 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है ।

[सं० 5/26/66-पी० एच० बी०]

नई दिल्ली, दिनांक 13 मई 1966

एस० ओ० 1486.—स्थायी आदेश क्रमसंख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गए 1951 के भारतीय तार नियमों के नियम 434 के खण्ड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने टैलीचैरी टेलीफोन केन्द्र में 1-6-66 से प्रमापित दर प्रणाली लागू करने का निश्चय किया है ।

[सं० 5/18/66-पी० एच० बी०]

डी० आर० बहल,
सहायक महानिदेशक (पी० एच० बी०)

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 13th May 1966

S.O. 1487.—Notice under Section 11 of the Delhi Development Act, 1957 (No. 61 of 1957) read with rules 5 and 15 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959.

Notice is hereby given that:—

(a) the Central Government have, under sub-section (2) of Section 9 of the Delhi Development Act, 1957 (No. 61 of 1957), approved the zonal development plan for Zone D-1 (Connaught Place and its extension);

(b) a copy of the plan as approved may be inspected at the office of the Delhi Development Authority, Vikas Bhawan, "D" Block, Indraprastha Estate, New Delhi-1 between the hours of 11·00 A.M. and 3·00 P.M. on all working days;

(c) This zonal development plan shall come into operation with effect from the date of the publication of this notice.

[No. F. 3(184)/61-W. D.]

R. K. VAISH, Secy.,
Delhi Development Authority.

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 7th May 1966

S.O. 1488.—Whereas, the Central Government is of opinion that the archaeological site and remains specified in the Schedule attached hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said archaeological site and remains to be of national importance.

Any objection made within two months after the issue of this notification, by any person interested in the said archaeological site and remains, will be considered by the Central Government.

THE SCHEDULE

Serial No.	State	District	Tehsil	Locality	Name of site	Revenue plot number to be included under protection.	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Uttar Pradesh	Basti	Nowgarh	Village Birdpur No. 1 Tola—Thakurpur (on the west of Sakya Stupa)	Ancient site comprised in survey plot Nos. 2254, 2255, 2256, 2257, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2271, 2272, 2273, 2274, 2275, 2276 and 2277.	Survey plot Nos. 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2271, 2272, 2273, 2274, 2275, 2276 and 2277.	5·19 acres.	*North* : Survey plot Nos. 2299, 2296, 2295, 2278, 2281, 2282, 2285, 2286, 2270 and 2268. *East* : Survey plot Nos. 1895 and 1894. *South*: Survey plot Nos. 1896, 1897, 1906 and 1907. *West* : Survey plot Nos. 2253, 2251 and 2250.	Private	..

[No. F. 4-6/66. C. 1.]

SHARDARAO (Mrs),
Assistant Educational Adviser.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 6th May 1966

S.O. 1489.—In exercise of the powers conferred by Section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule 2 of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints Prof. M. V. Rajadhyaksha after consultation with Central Board of Film Censors, as a member of the Advisory Panel of the said Board at Bombay with immediate effect.

[No. 11/2/62-FC.]

New Delhi, the 10th May 1966

S.O. 1490.—In exercise of the powers conferred by rule 10 of the Cinematograph (Censorship) Rules, 1958, the Central Government is pleased to appoint Shri R. S. Saigal, Superintendent as Secretary to the Chairman, Central Board of Film Censors, Bombay, with effect from the 3rd May, 1966 *vice* Shri V. S. Shroff promoted as Additional Regional Officer in the leave vacancy of Shrimati V. Mulay.

[No. 2/30/66-FC.]

S.O. 1491.—In exercise of the powers conferred by rule 10 of the Cinematograph (Censorship) Rules, 1958, the Central Government is pleased to appoint Shri V. S. Shroff, Secretary to the Chairman, as Additional Regional Officer, Central Board of Film Censors, Bombay with effect from the forenoon of 3rd May, 1966, *vice* Smt. V. Mulay proceeded on leave.

[No. 2/30/66-FC.]

B. GHOSE, Under Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 10th May 1966

S.O. 1492.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Pindra Colliery, Post Office Kuju, District Hazaribagh, and their workmen, which was received by the Central Government on the 5th May 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 141 OF 1965

PARTIES:

Employers in relation to the Pindra Colliery (Post Office Kuju, District Hazaribagh).

AND

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

APPEARANCES:

For the Employers—Shri Babunandan Prasad Jayaswal.

For the Workmen—Shri Awadhesh Kumar Singh, Secretary, Colliery Mazdoor Sangh.

STATE: West Bengal. INDUSTRY: Coal Mines

Dhanbad, the 18th April 1966

AWARD

By its Order No. 1/12/65-LR.II, dated 14th September, 1965, the Government of India, Ministry of Labour and Employment, referred, under section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Pindra Colliery (Post Office Kuju, District Hazaribagh) and their workmen in respect of the matters specified in the Schedule annexed to the order of reference which is reproduced below:

SCHEDULE

(1) "Whether the management of the Pindra Colliery is justified in not paying from June, 1963 its workmen their correct wages including wages for paid festival holidays, sick khoraki and lead and lift wages, as provided under the Award of the All India Industrial Tribunal (Colliery Disputes)?

(2) If not, to what relief are the workmen entitled?"

2. On 18th April, 1966 a joint petition of compromise dated 18th April, 1966 was filed before the Tribunal signed by Shri Babunandan Prasad Jayaswal, representing the management, and by Shri Awadhesh Kumar Singh, Secretary, Colliery Mazdoor Sangh, representing the concerned workmen, setting out the terms of their agreement and prayed that an award in terms of the said compromise, which is marked Annexure 'A', be passed.

3. I have read the terms of the compromise and considered them and, in my opinion, they are quite reasonable, fair and in the interest of both the parties and, therefore, I accept the compromise and record it.

4. The reference is accordingly disposed of in terms of the compromise dated 18th April, 1966 Annexure 'A' and an award in terms of it is passed and the said compromise marked Annexure 'A' is made a part of the Award.

5. This is the award which I make and submit to the Central Government.

Dhanbad, the 18th April 1966.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.

ANNEXURE "A"

REFERENCE No. 141 OF 1965

BEFORE THE CHAIRMAN CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

Order No. 1/12/65-LR.II of 14-9-65

In the matter of an Industrial Dispute between the management of Pindra Colliery, P.O. Kuju, Dist. Hazaribagh

AND

Their workmen represented by Colliery Mazdoor Sangh, Topa Branch.

The above name parties most respectfully beg to showeth:—

That the parties after a reference was made before the Hon'ble Chairman have further discussed the matter and have mutually come to the understanding to settle the dispute amicably.

The Management considered the demand of the workmen as referred to in the reference noted above and agreed to the demand as under:—

1. It is agreed that all the employees of Pindra Colliery will be paid their wages as per the provisions of the Award of A.I.I.T. as modified by L.A.T.:

(a) The time rated employees will be paid their daily rates as per the schedule of rates given in Para 69 L.A.T. and the annual increments will be granted as per the direction in L.A.T. read with issue No. 26 of the Arbitration Award.

(b) The piece-rated employees will be paid their wages as per the rates fixed by the A.I.I.T. as modified by L.A.T.

(c) All other allowances which are applicable in Coal Industry and come in force from time to time such as E.D.A. I.R. etc. will also be applicable and paid to the employees of Pindra Colliery.

2. That the workmen of Pindra colliery will be paid festival holidays as provided in the Award of all India Industrial Tribunal (Colliery Dispute) subsequently amended by L.A.T. and Dasgupta Award. The payment upto the year 1964 has already been made and rest will be paid to all the workmen by the 31st May, 1966.

The management agreed that the sick khoraki will also be paid to the work men as contained in the provision of the issue No. Arb. Award. The payment for all the arrear dues have been made.

The Management also agreed to pay lead and litt whenever required to be paid as per the provision of the All India Industrial Tribunal (Colliery Dispute) subsequently amended by L.A.T. Award.

The parties pray, therefore, that this agreement may kindly be accepted by the Hon'ble Chairman and the agreement as submitted hereto be published as a consent award in reference made before the Hon'ble Chairman by the Government of India as referred to above.

Sd/-

(BABUNANDAN PRASAD JAISWAL)
Representing Management.

Sd/- 18-4-66

(AWADHESH KUMAR SINGH)
Secretary, Colliery Mazdoor Sangh,
Topa, Pindra Branch Representing Workmen.

[No. 1/12/65-LR.II.]

S.O. 1493.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Baragolai Colliery of Messrs. Assam Railways and Trading Company Limited Margherita and their workmen which was received by the Central Government on the 6th May, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 118 OF 1965

PARTIES:

Employers in relation to the Baragolai Colliery of M/s. Assam Railways & Trading Co., Ltd., Margherita P.O., Lakhimpur Dist. Assam

AND

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

APPEARANCES:

For the Employers—None.

For the Workmen—None.

STATE: Assam. INDUSTRY: Colliery.

Dhanbad, dated the 28th March, 1966

AWARD

By its Order No. 6/87/65-LR-II, dated the 16th July, 1965, the Government of India, Ministry of Labour & Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication an industrial dispute existing between the employers in relation to Baragolai Colliery of M/s.

Assam Railways & Trading Co., Ltd., Margherita, P.O., Lakhimpur, Dist. (Assam) and their workmen in respect of the matters specified in the schedule attached to the reference, which is reproduced below:

SCHEDULE

"Whether the action of the management of Assam Railways and Trading Co. Ltd., Margherita, in fixing the basic pay of Shri Lalmon Ahir, Mining Sirdar, Grade II at Rs. 52/- per month in the scale of Rs. 52—3—73 with effect from the 1st November, 1963 was justified? If not, to what relief is the workman entitled?"

2. On 28th March, 1966 by Registered Post a joint petition of compromise dated 22nd March, 1966 signed by Shri A. Ghose, Chief Personnel Officer, representing The Assam Railways & Trading Co. Ltd., and by Shri Bhadreswar Konger, General Secretary, Assam Colliery Mazdoor Congress, Baragolai P.O., (Assam) was received praying that an award in terms of this compromise, which is marked Annexure "A" be passed.

3. According to the compromise, the management agreed to pay the concerned workmen, Shri Lalmon Ahir, Mining Sirdar, Grade II, Rs. 61/- only as basic wage per month with effect from 1st January, 1966 in the scale of Rs. 52—3—73 and the management further agreed to pay *ex-gratia*, the sum of Rs. 150/- only to the said workman in full and final payment of all his claims for back wages and other dues arising out of fixation of his basic pay at Rs. 52/- per month on 1st November, 1963 in the above scale. The management agreed to make the above *ex-gratia* payment of Rs. 150/- only within 30 days from the date of the petition of compromise and it was made clear that the compromise was made on the clear understanding that the management will not be liable in future to pay back wages and any other dues on the same account for the period from 1st November, 1963 to 31st December, 1965. It was further agreed that the parties shall bear their own cost of this reference.

4. I have read the terms of the compromise and, in my opinion, they are fair and proper and in the interest of both the parties, and, therefore, I accept the compromise Annexure "A" and an award in terms of the said compromise Annexure "A" is made and the compromise Annexure is made a part of the award.

5. This is the award which I make and submit to the Central Government under Section 15 of the Act.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer,

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

Ref. Order No. Nil dated 16th July, 1965 issued by the Government of India in the Ministry of Labour & Employment, New Delhi.

Employers in relation to the Assam Railways & Trading Co., Ltd., Margherita P.O., Lakhimpur Dist., Assam

Versus

Their workman, Shri Lalmon Ahir, Mining Sirdar, Grade II, Baragolai Colliery, represented by the Assam Colliery Mazdoor Congress, Baragolai P.O., Lakhimpur Dist., Assam.

Petition of Compromise

The humble joint petition of the parties to the dispute.

Most Respectfully Sheweth:

1. That without going into the merits of the case the parties have settled their dispute and difference giving rise to the instant reference on the terms hereinafter stated:—

(a) That the management shall pay the concerned workman, Shri Lalmon Ahir, Mining Sirdar, Grade II, Rs. 61/- only as basic wage per month with effect from 1st January, 1966 in the scale of Rs. 52—3—73.

(b) That the management shall pay, *ex-gratia*, the sum of Rs. 150/- only to the said workman, Shri Lalmon Ahir in full and final settlement of all his claims for back wages and other dues arising out of fixation of his basic pay at Rs. 52/- per month on 1st November, 1963 in the scale of Rs. 52—3—73 as aforesaid.

(c) That the management shall make the *ex gratia* payment in terms of (b) above within 30 days from the date of this petition of compromise.

(d) That the compromise is made on the clear understanding that the management will not be liable, in future, to pay back wages and other dues on the same account for the period from 1st November, 1963 to 31st December, 1965.

(e) That the parties shall bear their own costs, if any, of this Reference.

2. That the parties pray that the Hon'ble Tribunal may be graciously pleased to give its Award in terms aforesaid.

And for this, the parties, as in duty bound, shall ever pray.

(A. GHOSH)
Chief Personnel Officer,
The Assam Railways & Trading Co. Ltd.

(BHADRESWAR KONGER)
General Secretary,
Assam Colliery Mazdoor Congress,
Baragolai P.O., (Assam).

Dated, Margherita,
the 22nd March 1966.

... ...

[No. 6/87/65-LR.II.]

New Delhi, the 11th May 1966

S.O. 1494.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Sarvashri L. P. Dave and G. S. Jabbi, Arbitrators, in the industrial dispute between the employers in relation to the Sanctoria Colliery of Messrs Bengal Coal Company Limited, and their workmen, which was received by the Central Government on the 5th May, 1966.

BEFORE SHRI L. P. DAVE & SHRI G. S. JABBI, ARBITRATORS, CALCUTTA

REFERENCE NO. *ABN.* 3 OF 1964

PARTIES:

Employers in relation to the Sanctoria Colliery of Messrs Bengal Coal Co. Ltd.,

AND

Their workmen.

PRESENT:

Shri L. P. Dave
Shri G. S. Jabbi } Arbitrators.

APPEARANCES:

On behalf of employers.—Mr. W. J. Jameson, Superintendent, Industrial Relations.

On behalf of workmen.—Shri S. K. Rudra, Jt. Secretary, Colliery Mazdoor Congress.

STATE: West Bengal. INDUSTRY: Coal Mines.

AWARD

A dispute arose between the management of the Sanctoria colliery and the workmen of the said colliery represented by the Colliery Mazdoor Congress on the question whether the management was justified in fixing the tub loading rate of Rs.1·20 P per tub of 40½ cft. on the Barrie face and if not, what should be correct rate on this face. It was agreed between the parties to refer the said dispute to our arbitration and they entered with an agreement to that effect on 25th October 1964. The Government of India, Ministry of Labour and Employment, by their order No. 8/158/64-LR.II dated 6th November 1964 published the

said arbitration agreement in pursuance of the provision of Sub-section (3) of Section 10A of the Industrial Disputes Act.

2. In response to notices issued to them, the parties filed their respective written statements. The workmen, represented by the Colliery Mazdoor Congress (which will hereafter be referred to as merely the Union), contended *inter alia* that the wages fixed by the award of the All India Industrial Tribunal (Colliery Disputes) which will hereafter be referred to as the coal award as modified by the Labour Appellate Tribunal still hold good and the different categories of workmen are governed thereunder; that the rates of wages for loaders for machine cut coal were fixed at Rs. 1·80 per 40 cft. tub; that the employers without any discussion with the union or the workers arbitrarily reduced the said rate from Rs. 1·80 to Rs. 1·20 on 19th February 1964 without any notice and without any justification in the case of loaders working on the barrie face; that the reduction is not at all justified; that a loader working in the barrie face has to exert more energy than a loader loading on the conveyors; that the strain of loading in barrie face system is also much greater than the conventional methods; that this raised a dispute between the parties which they agreed to refer to arbitration.

3. The employers by their written statement contended *inter alia* that the coal award (as modified by the Labour Appellate Tribunal is no longer in force, the same having been terminated by the workmen sometime before the appointment of Coal Mining Wage Board in August 1962; that the rate for loading of 40½ cft. per tub was fixed by the Labour Appellate Tribunal on the basis of the work load of the loaders as established before the Coal Tribunal; that the said rate was fixed without reference to this specific nature of work of loaders loading on conveyors or doing the process of loading by the process known as barrie face loading; that the method of winning coal in the barrie face was not considered by the Coal Tribunal or the Appellate Tribunal as the said method was not then in existence; that the matter of winning coal in the barrie face is a mechanised method which involves huge investment and results in substantial increase in the output which would very much increase the output per man shift of the loaders concerned; the rate fixed by the Tribunals was fixed on the basis that the loaders would be able to load on an average only two tubs per shift; that it would not have been the intention of either the Coal Tribunal or the Appellate Tribunal to fix the piece rate of all loaders on a uniform basis regardless of method of the work; that the barrie face method of work was introduced in the colliery for the first time on 19th February 1964 with a view to increase productivity and also because the method of work is considerably safer; that in view of the fact that the output per man shift of the loaders working in the barrie face would be much higher on account of improvements made by the management at great cost, the rate of wages of loaders was rightly fixed at Rs. 1·20 per tub; that it is denied that the rates were reduced because there was no question of reducing wages as previously there were no rates of wages for this kind of work; that the other allegations made by the union are denied.

4. After the receipt of the written statement from the parties, the arbitrators saw the work of loading both of loaders loading on the barrie face system and also the loading by the conventional system. After this, oral evidence was recorded and arguments were heard from parties. The employers also produced statements showing the cost production per tub in the case of conventional loading and the cost of production per tub in the case of barrie face loading on the basis of wage rate of Rs. 1·80 and Rs. 1·20 respectively per tub.

5. The first point which was urged before us by the Union was that wages were fixed by the coal award which was modified by the decision of the Labour Appellate Tribunal of India and these rates were still in force. It was further contended that the wages of loaders were fixed at Rs. 1·80 per tub and therefore this must be the rate which the loaders should get irrespective of any other consideration. On the other hand, it was contended on behalf of the employers firstly that the above award is not in force as it has been terminated by a notice and secondly that in any case the rates fixed for loaders would not apply to loaders working on the barrie face.

6. Section 19 of the Industrial Disputes Act prescribes the period of operation of awards. Under Sub-section (3) thereof, an award is to remain in operation for one year and power is given to the appropriate government to extend the period of operation. Sub-section (6) lays down that notwithstanding the expiry of the period of operation under Sub-section (3), the award would continue to be binding on the parties until a period of two months has elapsed from the

date on which notice is given by any part bound by the award to the other party or parties intimating its intention to terminate the award. The employer's contention is that a notice was given for terminating the award and therefore the award is now no longer in operation. What the employers have produced before us is a notice dated 24th February 1962 given by the Colliery Mazdoor Sangh. The notice mentioned that it was given as per provisions of Section 19(6) of the Industrial Disputes Act on behalf of the workmen for termination of the Coal award, the award of the Labour Appellate Tribunal and the award of Shri Das Gupta. It is very doubtful whether a notice given by the Colliery Mazdoor Sangh would be binding on the present workmen who are represented by the Colliery Mazdoor Congress. In such a case, the award would still be binding so far as the present employers and their workmen are concerned.

7. We however agree with the contention of the employer that wages for loaders as fixed by the Coal award and the Labour Appellate Tribunal are not applicable to loaders in the barrie face system of loading. It is an admitted fact that at the time of these awards there was no system of barrie face working and the tribunals could not have, therefore, in their minds fixation of loaders' wages in the barrie face loading. It was however urged that under the definition of loader as given in item 277 of Appendix XI of Volume II of the Coal award, a loader means "a manual worker who only loads coal into tubs or on to conveyors (also known as Filler)". In our opinion, the definition is in general terms. There can be no doubt that a loader whether he is loading under conventional method or whether he is loading under the barrie face method or whether he is working under the system of loading on the conveyor belts is still a loader. That however would not mean that when wages of loaders were fixed, they were applicable to all kinds of loaders. Similarly reference to loaders in Chapter VI of the Coal award only describes method of work and does not deal with the fixation of wages.

8. The relevant discussion about the fixation of wages of loaders is found at Paragraphs 126 to 142 of the Labour Appellate Tribunal award. In paragraph 126, it has been mentioned that the duty of loaders is to load coal into the tubs, mine cars or conveyors. Then follows the discussion about wages of loaders. If we read the discussion, it would be apparent that it deals with loading under the conventional method. The Coal Tribunal had fixed a work-load of 2¼ tubs of 36 cft. per shift and this was contended to be excessive. The Labour Appellate Tribunal agreed with this contention and reduced it to 2 tubs. In dealing with this question the evidence that was recorded was also discussed. Obviously, the evidence could not refer to loading by barrie face method because such method was then not known and the evidence appears to have been only recorded on conventional method of loading. It is on this basis that the wages were fixed for loaders. We are of the view that the wages fixed by the Coal award and the Labour Appellate Tribunal award were fixed for loaders working on conventional loading system and were not applicable to loaders working on the barrie face system.

9. Reference was made on behalf of the union to an award given by the Industrial Tribunal, Dhanbad, in Reference No. 19 of 1960 in a dispute between the employers of the Girimint colliery and their workmen regarding wages of conveyor loaders. Under that award it has been held that the directions contained in para 141 of the decision of the Labour Appellate Tribunal were applicable to conveyor loaders, that is, conveyor loaders were entitled to wages at the rate of Rs. 1:80 per tub. With very great respect we do not agree with this decision. In any case, conveyor loading system was in existence at the time of the Coal award (though not very common). In the definition, conveyor loading was specifically mentioned. Technically, therefore, it may be that the Dhanbad Tribunal's award may be correct. We are, however, not concerned with that award which dealt with conveyor loaders. We are now concerned with loaders under the barrie face system, which system, we may repeat, was not in existence at the time of the Coal award and hence the wages fixed under that award could not be said to have been fixed regarding barrie face loaders also. We are, therefore, of the view that the workmen can not claim Rs. 1:80 per tub as their wages only on the ground that this was the rate fixed for loaders by the Coal award and the Labour Appellate Tribunal award.

10. The question then would be as to what would be fair wages that should be fixed for barrie face loaders. It has been said that the barrie face loaders' work is much more strenuous than the work of a contentional loader, as he has

to bend and unbend continuously. It may be mentioned that even for conventional load, the worker has to bend and unbend. This bending and unbending would be the same both for conventional loading and barrie face loading, for loading identical amount of coal. A barrie face loader gets no rest or change of work like a conventional loader; but then he would load more coal, as the time spent by a conventional loader in other work and rest would be utilised by a barrie face loader for loading.

11. On the other hand, a barrie face loader has some advantage over a conventional loader. A conventional loader finds it inconvenient to use his helmet because he has to carry coal on his shoulder. Actually we were told that he avoids putting on a helmet when the supervising staff is not present. A barrie face loader can keep the helmet on while working and to that extent he has a larger safety against head injuries than a conventional loader. Similarly, a conventional loader is reluctant to use boots because of the hazards of slipping which is not the case with a barrie face loader and to that extent the barrie face loader has a greater safety against falling of coal on his toes. Then the conventional loader has to carry coal to some distance for which he sometimes get payment by way of load and sometimes by way of lift. We understand that he is entitled to payment for lift when the coal is to be carried to higher level from the working face, and that he may not get any lift when he is to carry the coal to a lower level. In any case, he would have to climb up and go down for the purpose of loading. As against this, in the case of a barrie face loader, he has to bend and unbend regularly and continuously and he does not get any rest even by change of work.

12. Barrie face working has other advantages also. More coal can be got by this method. In the context of national output, it is desirable that there should be more output of coal at a lower cost. One of the ways of doing this is to introduce improved types of working. There can be no doubt that barrie face working is one such method. Without going into the details of the working, we may say that we are satisfied and the parties also have agreed that barrie face loading results in more output of coal.

13. As we have mentioned earlier, the employers have produced statements before us showing the cost of production per tub in the case of barrie face loading on the basis of wages of Rs. 1·20 per tub for a loader and they have produced similar statements of cost of production per tub in the case of conventional loading on the basis of wages of Rs. 1·80 per tub for a loader and the statements show that cost per tub is almost the same in both cases.

14. We have gone through these statements and we have heard parties also on the point. We feel that on certain items the cost of output per tub would be less in the case of barrie face loading than what is shown in the statements. We also feel that when there is higher output, the overall cost would also go down in the sense that the overhead charges would be distributed over a larger production and to that extent there would be a reduction in the cost of production.

15. On the other hand, we also feel that the industry must have incentive to introduce better methods of production. Unless they are likely to get a substantial advantage, it is not likely that they would introduce new systems involving extra expenditure. The gain by reducing the cost of output should, in our opinion, be equitably shared by the employers and the labour.

16. The employers have produced statements showing the number of tubs loaded by conventional loaders and by barrie face loaders. They show that a barrie face loader's loading is on an average round about four tubs per shift per loader, as against an average of less than two tubs per shift per conventional loader. As mentioned earlier, the Labour Appellate Tribunal has fixed a loader's wages at Rs. 1·80 per tub on the assumption that his workload would be two tubs per shift.

17. A barrie face loader can load more tubs if he is keen to do so. In that case, he will bear more strain, as he will have less rest. We therefore think that a barrie face loader should get higher rates of wages as his output goes up.

18. After having considered all the above facts together, we would fix the wages of barrie face loader as under:—

For the first 2 tubs		Rs. 1.20 per tub.
For the next 2 tubs		Rs. 1.25 per tub.
For the 5th tub		Rs. 1.30

For the 6th tub		Rs. 1.40
For the 7th tub		Rs. 1.55
For the 8th tub		Rs. 1.75
For the 9th tub		Rs. 2.00
For the 10th and subsequent tubs		Rs. 2.50 per tub.

19. The above rates are fixed on the basis of the present rate of Rs. 1.80 per tub for conventional loading. Hence, if and when the rates for conventional loading are revised, the rates of barrie face loading will also have to be suitably revised.

20. We further direct that workers should be paid at the above rates from the time barrie face loading was introduced. The arrears should be worked out and paid to the workers within three months of the award becoming enforceable. Of course, the new rates will be introduced forthwith. Parties will bear their own costs.

We pass our award accordingly.

(Sd.) L. P. DAVE,
(Sd.) G. S. JABBI
Arbitrators.

Dated, the 30th April 1966.

[No. 8/158/64-LRII.]

S.O. 1495.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Parbelia Colliery of Messrs Bengal Coal Company Limited and their workmen, which was received by the Central Government on the 6th May, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA.

REFERENCE No. 16 OF 1965

PARTIES:

Employers in relation to the Parbelia Colliery of Messrs Bengal Coal Co., Ltd.,

AND

Their workmen.

PRESENT:

Shri L. P. Dave.—*Presiding Officer.*

APPEARANCES:

On behalf of employers.—Mr. W. J. Jameson, Superintendent, Industrial Relations.

On behalf of workmen.—Shri S. Das Gupta, Secretary, Indian Mine Workers Federation.

STATE: West Bengal. INDUSTRY: Coal Mines.

AWARD

The Government of India, Ministry of Labour and Employment by their Order No. 8/55/63-LR. II dated 16th July, 1963, referred an industrial dispute existing between the employers in relation to the Parbelia colliery and their workmen in respect of the following question for adjudication to the Industrial Tribunal, Dhanbad. The matter referred to for adjudication was:

> Whether the action of the management of the Bengal Coal Company Limited in reducing the wages of the loaders working in the Dishergarh Seam of Parbelia Colliery was justified? If not, what should be the rate of wages which the workmen concerned should get for the work in question?

2. Parties filed their respective written statements before the Dhanbad Tribunal. By order No. 8/55/63-LRII dated 10th February, 1965, the Government

transferred the proceeding to this Tribunal under Section 33B(1) of the Industrial Disputes Act and directed this Tribunal to proceed with them from the stage at which they were transferred. The matter has therefore been heard by this Tribunal.

3. The dispute in this matter refers to the wages of loaders working under the barrie face method of working. The workmen's contention is that a loader should get Rs. 1:80 per tub as these are the wages fixed for loaders under the award of the All India Industrial Tribunal (Colliery Disputes, which I shall hereafter refer to as the Coal award), as modified by the Labour Appellate Tribunal. On the other hand, the employers have fixed the wages at Rs. 1:20 per tub and say they are reasonable.

4. There was a similar dispute regarding wages of barrie face loaders in the case of Sanctoria colliery belonging to the same owner and this dispute was referred to the arbitration of Shri G. S. Jabbi, Chief Inspector of Mines and myself. That matter was also pending before us at the time when this proceedings were transferred to me. By consent of parties, therefore, the two matters were heard together and common evidence has been recorded in the arbitration proceedings.

5. The first point which was urged before me on behalf of the workmen was that wages of loaders were fixed under the Coal award which was subsequently modified by the Labour Appellate Tribunal award and that the said award was still in force and therefore the employers could not reduce the wages of loaders from Rs. 1:80 to Rs. 1:20 per tub. Section 19 of the Industrial Disputes Act prescribes the period of operation of awards. Under Sub-section (3) thereof, an award is to remain in operation for a period of one year and there is a provision that this period can be extended by the appropriate Government. Sub-section (6) lays down that notwithstanding the expiry of the pe iod of operation under Sub-section (3), the award would continue to be binding on the parties until a period of two months has elapsed from the date on which notice is given by any party bound by the award to the other party or parties intimating its intention to terminate the award.

6. Admittedly, a notice was given by the Colliery Mazdoor Sangh to the employers on 24th February, 1962, for termination of the awards of the Coal tribunal and Labour Appellate Tribunal. That being so, the above awards are now not in operation so far as the present parties are concerned.

7. Apart from this, I agree with the contention of the employers that wages for loaders as fixed by the Coal award and the Labour Appellate Tribunal are not applicable to loaders in the barrie face system of loading. It is an admitted fact that at the time of these awards there was no system of barrie face working and the tribunals could not have, therefore, in their minds fixation of loaders' wages in the barrie face loading. It was however urged that under definition of loader as given in item 277 of Appendix XI of Volume II of Coal award, a loader means "a manual worker who only loads coal into tubs or on to conveyors (also known as Filler)". In my opinion, the definition is in general terms. There can be no doubt that a loader whether he is loading under conventional method or whether he is loading under the barrie face method or whether he is working under the system of loading on the conveyor belts is still a loader. That however would not mean that when wages of loaders were fixed, they were applicable to all kinds of loaders. Similary reference to loaders in Chapter VI of the Coal award only describes method of work and does not deal with the fixation of wages.

8. The relevant discussion about the fixation of wages of loaders is found at Paragraphs 126 to 142 of the Labour Appellate Tribunal award. In paragraph 126, it has been mentioned that the duty of loaders is to load coal into the tubs, mine cars or conveyors. Then follows the discussion about wages of loaders. If we read the discussion, it would be apparent that it deals with loading under the conventional method. The Coal Tribunal had fixed a workload of 24 tubs of 36 cft. per shift and this was contended to be excessive. The Labour Appellate Tribunal agreed with this contention and reduced it to two tubs. In dealing with this question the evidence that was recorded was also discussed. Obviously, the evidence could not refer to loading by barrie face method because such method was then not known and the evidence appears to have been only recorded on conventional method of loading. It is on this basis that the wages were fixed for loaders. I am of the view that the wages fixed by the Coal award and the Labour Appellate Tribunal award were fixed for loaders working on conventional loading system and were not applicable to loaders working on the barrie face system.

9. Reference was made on behalf of the union to an award given by the Industrial Tribunal, Dhanbad, in Reference No. 19 of 1960 in a dispute between the employers of the Girimint colliery and their workmen regarding wages of conveyor loaders. Under that award it has been held that the directions contained in para 141 of the decision of the Labour Appellate Tribunal were applicable to conveyor loaders, that is, conveyor loaders were entitled to wages at the rate of Rs. 1·80 per tub. With very great respect, I do not agree with this decision. In any case, conveyor loading system was in existence at the time of the Coal award (though not very common). In the definition conveyor loading was specifically mentioned. Technically, therefore, it may be that the Dhanbad Tribunal's award may be correct. I am, however, not concerned with that award which dealt with conveyor loaders. I am now concerned with loaders under the barrie face system, which system, I may repeat, was not in existence at the time of the Coal award and hence the wages fixed under that award could not be said to have been fixed regarding barrie face loaders also. I am, therefore, of the view that the workmen cannot claim Rs. 1 80 per tub as their wages only on the ground that this was the rate fixed for loaders by the Coal award and the Labour Appellate Tribunal award.

10. The question then would be as to what would be fair wages that should be fixed for barrie face loaders. It has been said that the barrie face loaders' work is much more strenuous than the work of a conventional loader, as he has to bend and unbend continuously. It may be mentioned that even for conventional load, the workers has to bend and unbend. This bending and unbending would be the same both for conventional loading and barrie face loading, for loading identical amount of coal. A barrie face loader gets no rest or change of work like a conventional loader; but then he would load more coal, as the time spent by a conventional loader in other work and rest would be utilised by a barrie face loader for loading.

11. On the other hand, a barrie face loader has some advantage over a conventional loader. A conventional loader finds it inconvenient to use his helmet, because he has to carry coal on his shoulder. Actually I was told that he avoids putting on a helmet when the supervising staff is not present. A barrie face loader can keep the helmet on while working and to that extent he has a larger safety against head injuries than a conventional loader. Similarly, a conventional loader is reluctant to use boots because of the hazards of slipping which is not the case with a barrie face loader and to that extent the barrie face loader has a greater safety against falling of coal on his toes. Then the conventional loader has to carry coal to some distance for which he sometimes get payment by way of lead and sometimes by way of lift. I understand that he is entitled to payment for lift when the coal is to be carried to higher level from the working face, and that he may not get any lift when he is to carry the coal to a lower level. In any case, he would have to climb up and go down for the purpose of loading. As against this, in the case of a barrie face loader, he has to bend and unbend regularly and continuously and he does not get any rest even by change of work.

12. Barrie face working has other advantages also. More coal can be got by this method. In the context of national output, it is desirable that there should be more output of coal at a lower cost. One of the ways of doing this is to introduce improved types of working. There can be no doubt that barrie face working is one such method. Without going into the details of the working, I may say that I am satisfied and the parties also have agreed that barrie face loading results in more output of coal.

13. As I have mentioned earlier, the employers have produced statements before me showing the cost of production per tub in the case of barrie face loading on the basis of wages of Rs. 1 20 per tub for a loader and they have produced similar statements of cost of production per tub in the case of conventional loading on the basis of wages of Rs. 1·80 per tub for a loader and the statements show that cost per tub is almost the same in both cases.

14. I have gone through these statements and I have heard parties also on the point. I feel that on certain items the cost of output per tub would be less in the case of barrie face loading than what is shown in the statements. I also feel that when there is higher output, the over all cost would also go down in the sense that the overhead charges would be distributed over a large production and to that extent there would be a reduction in the cost of production.

15. On the other hand, I also feel that the industry must have incentive to introduce better methods of production. Unless they are likely to get a substantial advantage, it is not likely that they would introduce new systems involving

extra expenditure. The gain by reducing the cost of output should, in my opinion, be equitably shared by the employers and the labour.

16. The employers have produced statements showing the number of tubs loaded by conventional loaders and by barrie face loaders. They show that a barrie face loader's loading is on an average round about four tubs per shift per loader, as against an average of less than two tubs per shift per conventional loader. As mentioned earlier, the Labour Appellate Tribunal has fixed a loader's wages at 1·80 per tub on the assumption that his workload would be two tubs per shift.

17. A barrie face loader can load more tubs if he is keen to do so. In that case, he will bear more strain, as he will have less rest. I therefore think that a barrie face loader should get higher rates of wages, as his output goes up.

18. After having considered all the above facts together, I would fix the wages of barrie face loader as under:

For the first 2 tubs	Rs.1·20 per tub
For the next 2 tubs	Rs.1·25 per tub
For the 5th tub	Rs.1·30 per tub
For the 6th tub	Rs.1·40 per tub
For the 7th tub	Rs.1·55 per tub
For the 8th tubs	Rs.1·75 per tub
For the 9th tubs	Rs2·00 per tub
For the 10th and subsequent tubs	Rs.2·50 per tub

19. The above rates are fixed on the basis of the present rate of Rs. 1.80 per tub for conventional loading. Hence, if and when the rates for conventional loading are revised, the rates of barrie face loading will also have to be suitably revised.

20. I further direct that workers should be paid at the above rates from the time barrie face loading was introduced. The arrears should be worked out and paid to the workers within three months of the award becoming enforceable. Of course, the new rates will be introduced forthwith. Parties will bear their own costs.

I pass my award accordingly.

Dated 30th April, 1966.

Sd./- L. P. DAVE,
Presiding Officer.

[No. 8/55/63-LRII.]

New Delhi, the 12th May 1966

S.O. 1496.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Lodna Colliery of Messrs Lodna Colliery Company (1920) Limited, Post Office Jharia, District Dhanbad and their workmen, which was received by the Central Government on the 6th May, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 60 OF 1966

In the matter of an industrial dispute under section 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES:

Employers in relation to the Lodna Colliery of Messrs Lodna Colliery Company (1920) Limited, P.O. Jharia, District, Dhanbad.

Vs.

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer.*

APPEARANCES:

For the Employers.—Brig. K. Bag Singh, Chief Personnel Officer, Lodna Collieries.

For the Workmen.—Shri C. B. Tewari, Asstt., Secretary, Colliery Mazdoor Sangh, Londa Branch and Shri Diba Mahato, the concerned workman.

INDUSTRY: Coal. STATE: Bihar.

Dhanbad, dated the 22nd April 1966

AWARD

By its order No. 2/38/66-LRII dated the 22nd March, 1966, the Government of India, Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment), referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Lodna Colliery of Messrs Lodna Collieries, representing the management; Shri Diba Mahato, the workman conrespect of the matter specified in the schedule annexed to the order of reference which is reproduced below:

SCHEDULE

"Whether the dismissal of Shri Diba Mahato, Sand Loader-*cum*-Mazdoor, by the management of the Lodna Colliery of Messrs Lodna Colliery Company (1920) Limited with effect from the 26th October, 1965, was justified? If not, to what relief is the workmen entitled?"

2. On 22nd April, 1966 Brig. K. Bag Singh, Chief Personnel Officer, Lodna Collieries, representing the management; Shri Diba Mahato, the workman concerned in the reference, and Shri C. B. Tewari, Assistant Secretary, Colliery Mazdoor Sangh, Lodna Branch appeared before the Tribunal and filed a joint petition of compromise and all the aforesaid three persons signed, the workman giving his thumb impression, in presence of the Tribunal.

3. I have read the terms of the compromise and find that they are fair to both the parties inasmuch as the concerned workman has been taken back in service and he has been asked to report for duty tomorrow and the period from the date of suspension *i.e.*, from 13th August, 1965 to till the date of his joining duties, was treated as if he was on leave without wages for the purpose of continuity of service, and therefore, I accept the compromise and record it.

4. The reference is accordingly disposed of in terms of the above compromise, which is marked Annexure 'A', and award in terms of it is made and the said compromise Annexure 'A' is made a part of the award.

5. This is the Award which I make and submit to the Central Government.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 60 OF 1966

AND

In the matter of Notification No. 2/38/66 LRII dated 22nd March 1966.

Employees in relation to Bagdigi Colliery of M/s. Lodna Colliery Company (1920) Ltd.

AND

Their Workmen.

That without prejudice to the contentions of the parties, the above Reference has been amicably settled between the parties on the following terms:—

(1) That Sri Diba Mahato, the workman concerned in the present Reference, will be taken back in service;

(2) That Sri Diba Mahato, will report for duties within 2 days from the recording of this compromise.

(3) That the period from the date of suspension, *i.e.*, from 13th August, 1965 and the subsequent dismissal from 26th October 1965, till the date Sri Diba Mahato joins his duties, will be treated as if he was on leave without wages for the purpose of the continuity of service only.

(4) That the parties will bear their respective costs of this Reference.

It is therefore humbly prayed that this Compromise may kindly be recorded and an Award passed in terms thereof.

For Workman.
L.T.I. of

DIBA MAHATO,
Workman concerned in the Reference.

C. B. TEWARI,
C.H.S., Lodna Branch.

For Employer

Sd./- BRIG. K. BAG SINGH,
Chief Personnel Officer,
Lodna Collieries.

[No. 2/38/66-LRII.]

S.O. 1497.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Kusunda and Nayadee Colliery of M/s. Kusunda and Nayadee Collieries Company Private Limited, Post Office Kusunda and their workmen, which was received by the Central Government on the 7th May, 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 17 OF 1964.

PARTIES:

Employers in relation to the Kusunda and Nayadee Colliery of Messrs Kusunda and Nayadee Collieries Company (Private) Limited, Post Office, Kusunda, (Dhanbad).

AND

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,—*Presiding Officer*.

APPEARANCES:

For the Employers.—Sarvashri D. Narsingh, Advocate and Y. G. Shrikhande, Manager.

For the Workman.—Shri Raj Ballav Prasad, Secretary, Khan Mazdoor Congress.

INDUSTRY: Coal. STATE: Bihar.

Dhanbad, dated the 19th April, 1966.

AWARD

By its order No. 2/2/55/63-LR. II dated 20th January, 1964, the Government of India, Ministry of Labour and Employment, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the employers in relation to the Kusunda and Nayadee Colliery of M/s. Kusunda and Nayadee Collieries Company (P) Ltd., P.O. Kusunda, (Dhanbad) and their workmen in respect of the matters specified in the schedule annexed to the order of reference which is reproduced below:

SCHEDULE

"Whether the suspension of Shri Gaffur Mia, Winding Engine Khalasi of Kusunda Colliery of Messrs Kusunda and Nayadee Collieries (Private) Limited

for the period from 9th July, 1963 to 18th July, 1963 by the management of the said Colliery was justified. If not, to what relief is the workman entitled?"

2. On 19th April, 1966 a joint petition of compromise dated 19th April, 1966, was filed before the Tribunal signed by Sarvashri D. Narsingh, Advocate and Y. G. Shrikhande, Manager, Kusunda and Nayadee Colliery, on behalf of the management, and by Shri Raj Ballav Prasad, Secretary, Khan Mazdoor Congress, for the concerned workmen, setting out the terms of the settlement and both the parties prayed that an award in terms of the said compromise, which is marked Annexure 'A', is made.

3. I have read and considered the terms of the compromise and, in my opinion, they are quite fair and reasonable and in the interest of both the parties and, therefore, I accept them and record the compromise.

4. The reference is accordingly disposed of in terms of the compromise dated 19th April, 1966, marked Annexure 'A' and an award in terms of it is passed and the said compromise Annexure 'A' is made a part of the award.

5. This is the award which I make and submit to the Central Government.

Sd./- RAJ KISHORE PRASAD,
Presiding Officer.

BEFORE THE HON'BLE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 17 OF 1964.

PARTIES:

Employers in relation to the Kusunda and Nayadee Colliery.

AND

Their workmen,

represented by the Khan Mazdoor Congress.

Memorandum of Settlement

The parties aforesaid most respectfully beg to submit that the dispute referred to this Hon'ble Tribunal by the Central Government under S.O. No. 325, dated 21st January, 1964, published in the Gazette of India, Part II, Section 3(ii), dated 25th January, 1964, at page 353, has been amicably settled by mutual negotiations between them on the following terms:—

Terms of settlement

1. Without prejudice to its submission before the Tribunal, the management shall, at its discretion, make an *ex-gratia* payment to Shri Gaffur Mia which he will accept in full and final settlement of his claims against the management under the present reference.

2. The said payment shall be made within a week from this date.

3. Neither Shri Gaffur Mia nor his Union acting on his behalf has any other claim against the management in terms of the present reference.

4. Parties shall bear their respective costs of these proceedings.

5. Parties shall make a joint prayer to this Hon'ble Tribunal to dispose of the present reference in terms of this settlement.

Prayer

It is, therefore, most respectfully prayed that the Hon'ble Tribunal may be graciously pleased to give its award in terms aforesaid.

Sd./- D. NARSINGH,
Advocate.
Y. G. SHRIKHANDE,
Manager.
Kusunda & Nayadee Colliery,
For the Management.

Sd./- RAJ BALLAV PRASAD,
Secretary,
Khan Mazdoor Congress.
For the Workmen.

Dated the 19th April, 1966.

[No. 2/55/63-LRII.]

S.O. 1498.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Kharkharee Colliery of Messrs Bharat Mining Corporation Limited, Post Office Kharkharee, District Dhanbad, and their workmen, which was received by the Central Government on the 5th May 1966.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE NO. 7 OF 1966

PARTIES:

Employers in relation to the Kharkharee Colliery of M/s. Bharat Mining Corporation Ltd., P.O. Kharkharee, District, Dhanbad.

And

Their Workmen

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,—Presiding Officer.

APPEARANCES:

For the Employers.—Sarvashri S. S. Mukherjee, Advocate and S. C. Jain, Director, Kharkharee Colliery.

For the Workmen.—Shri Shankar Bose, Secretary, Colliery Mazdoor Sangh.

STATE: Bihar. INDUSTRY: Coal.

Dated, Dhanbad the 6th April, 1966

AWARD

By its order No. 2/136/65-LRII dated 6th January 1966, the Government of India, Ministry of Labour and Employment, referred under Sec. 10(1)(d) of the Industrial Disputes Act, 1947, for adjudication to this Tribunal, an industrial dispute existing between the Employers in relation to the Kharkharee Colliery of M/s. Bharat Mining Corporation Ltd., P.O. Kharkharee, (Dhanbad) and their workmen in respect of the matter specified in the schedule annexed to the order of reference which is reproduced below:—

SCHEDULE

"Whether the demotion of Shri Jai Mangal Singh, Overman, of Messrs Bharat Mining Corporation Limited, Kharkharee Colliery, P.O. Kharkharee, (District Dhanbad) was an act of victimisation? If so, to what relief is he entitled?".

2. On 21st February 1966 a petition of compromise dated 10th February 1966 signed by Shri S. C. Jain, Director, Kharkharee Colliery of M/s. Bharat Mining Corporation Ltd., and their Advocate, Shri S. S. Mukherjee, and by Shri Jai Mangal Singh, the concerned workman, was filed stating therein that the concerned workman does not want to serve the company any further and, therefore, his services stand terminated with effect from 28th September 1965 in consideration thereof he has been paid Rs. 1700/- in one lump equivalent to the retrenchment compensation and now he has no further claim.

3. As the above compromise was not signed by the union, I issued a notice to Colliery Mazdoor Sangh to show cause why the above compromise should not be recorded. On 16th March 1966 Shri Mukherjee, on behalf of the management stated that the union has agreed now to waive its objection, because Rs. 2000/- has been paid to the workman and he also showed the Tribunal the receipt for the above sum; but, as no one appeared for the union, I adjourned the case to the next day awaiting the union's representative.

4. Ultimately, on 28th March 1966 Shri Shankar Bose appeared for the union and pressed his objection which he had filed on 1st March 1966 before the Tribunal in response to the show cause notice issued by the Tribunal on 21st February 1966 objecting to the compromise being recorded. On 28th March 1966 both the parties were asked to produce the workman on 31st March 1966 but as he did not appear even on that day the case was adjourned to 4th April 1966.

5. On 4th April 1966 at 12-00 Noon the concerned workman, Shri Jai Mangal Singh, appeared before the Tribunal and his statement on oath was recorded and he admitted in his statement the compromise and the receipt of Rs. 2000/- from the management and further stated that he has now nothing to do with the colliery or the present dispute. He further informed that he would inform the union about these facts.

6. For the reasons given above, there is no doubt that the compromise is a bonafide compromise.

7. The result, therefore, is that the reference is disposed of in terms of the compromise, which is marked Annexure 'A', and an award in terms of the compromise Annexure 'A' is made and the said compromise Annexure 'A' is made a part of the award.

8. This is the award which I make and submit to the Central Government.

Sd./- RAJ KISHORE PRASAD,
Presiding Officer.

ANNEXURE "A"

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

In the matter of Notification No. 2/136/65-LRII dated 6th January, 1966.

AND

In the matter of an Industrial Dispute

BETWEEN

Employers in relation to the Kharkharee Colliery of M/s. Bharat Mining Corporation Ltd.

AND

Their Workmen.

The humble petition on behalf of the Employers abovenamed and Shri Jaimangal Singh, the workman concerned in the present Reference.

Most respectfully sheweth:—

1. That without prejudice to the respective contentions of the parties the dispute has been amicably settled.

2. That Shri Jaimangal Singh does not want to serve the Company any further and his services with the Company will stand terminated with effect from the date he is absenting himself, namely from 28th September 1965.

3. That in consideration of the above, the Employers have agreed to pay to Shri Jaimangal Singh all his outstanding dues upto date together with lump sum of Rs. 1700/-/ equivalent to retrenchment Compensation.

4. That Shri Jaimangal Singh has no other claim against the Employers or any other account.

5. That all existing or apprehended dispute between the Employers and Shri Jaimangal Singh have been settled in terms of settlement.

It is therefore humbly prayed that an Award may be passed in terms of this settlement.

And for this your petitioner as in duty bound ever pray.

SHRI JAIMANGAL SINGH,
Workman concerned.
Date 10-2-1966

SHRI S. C. JAIN,
Director
Kharkharee Colliery of
M/s. Bharat Mining Corporation Ltd.
Date 10-2-1966.
(Sd.) Illegible.
Advocate.

[No. 2/136/65-LRII.]

ORDERS

New Delhi, the 7th May 1966

S.O. 1499.—Whereas an industrial dispute exists between the General Manager, Bhilai Steel Plant of Hindustan Steel Limited in relation to Rajhara Iron Ore Mines (hereinafter referred to as the said Company) and their workmen represented by the Khadan Mazdoor Congress, Rajhara, Post Office Dalli-Rajhara, District Durg (hereinafter referred to as the Union);

And whereas the said Company and the Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to arbitration of the person mentioned therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by it on the 28rd April, 1966.

Agreement

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Representing the employers—Shri S. Balakrishnan, Personnel Officer, B.S.P. Bhilai.

Representing workmen—Shri P. K. Sengupta, General Secretary, Khadan Mazdoor Congress.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri A. N. Roy, Officer on Special Duty and Regional Labour Commissioner (Implementation), Nagpur.

(i) *Specific matter in dispute*

Whether Shri M. D. Yunus is entitled to the post of shovel operator with effect from 1st October, 1962? If so what relief the workman is entitled to?

(ii) *Details of the parties to the dispute*

General Manager, Bhilai Steel Plant of Hindustan Steel Ltd., Bhilai (District Durg—M.P.) in relation to Rajhara Iron Ore Mines and their workmen represented by Khadan Mazdoor Congress, Rajhara, P.O. Balli-Rajhara (Distt. Durg—M.P.).

(iii) *Name of the union representing the workman*

Khadan Mazdoor Congress, Rajhara, P.O. Dalli-Rajhara, Dt. Durg (M.P.).

(iv) *Total number of workmen employed in the undertaking* 2300.

(v) *Number of workmen affected by the Dispute*

1.

(vi) The arbitrator shall make his Award within a period of six months from this date or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforesaid the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

(Sd.) (S. BALAKRISHNAN) (Sd.) (P. K. SENGUPTA)

Witness:—
1. (Sd.)
2. (Sd.)

Dated the 2nd February, 1966.

Accepted
(Sd.) A. N. Roy,
Officer on Special Duty and
Regional Labour Commissioner (Central)
(Implementation), Nagpur.

[No. F. 37(12)/66-LRI.]

S.O. 1500.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jealgora Colliery of Messrs East Indian Coal Company Limited, Post Office Jealgora, District Dhanbad and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Jealgora Colliery of Messrs East Indian Coal Company, Limited was justified in stopping Shri Charitar, Trammer No. 7 Pit, from work with effect from the 13th November, 1965? If not, to what relief is the workman entitled?

[No. 2/53/66-LR.II.]

New Delhi, the 10th May 1966

S.O. 1501.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company (Private) Limited, Post Office Khas Jeenagora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

I. Whether the dismissal of Shri Jadunath Kewat, Pick Miner No. 5 Pit, with effect from the 11th January 1966 by the management of the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company (Private) Limited was justified? If not, to what relief is the workman entitled?

II. Whether the dismissal of Shri Ladhur Kewat, Miner, with effect from the 19th November 1965 by the management of the Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company (Private) Limited was justified? If not, to what relief is the workman entitled?

[No. 2/67/66/LR.II.]

S.O. 1502.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Parasea Colliery, Post Office Kajoragram (Burdwan) and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the stoppage of work of Shri Biswanath Prasad, Clerk, by the management of South Parasea Colliery with effect from the 11th January, 1966 was justified? If not, to what relief is the workman entitled?

[No. 6/32/66-LR.

S.O. 1503.—Whereas the Central Government is of opinion, that an industrial dispute exists between the employers in relation to the Jealgora and Bararee Collieries of Messrs East Indian Coal Company Limited, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

I. Whether the management of the Jealgora Colliery of Messrs East Indian Coal Company Limited was justified in suspending Sarvashri Chatrapati, Ram Nagina Singh and Sahdeo, Tub Repairers, from the 27th September 1965 to the 5th October 1965? If not, to what relief are the workmen entitled?

II. Whether the management of the Bararee Colliery of Messrs East Indian Coal Company Limited was justified in dismissing Shri Musafir Singh, Fan Attendant (E.B. No. 91005) with effect from the 18th January 1966? If not, to what relief is the workman entitled?

[No. 1/2/66-LR.II.]

S.O. 1504.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Govindpur Colliery, Post Office Katrasgarh, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the following workers were refused work by the management of the South Govindpur Colliery with effect from the dates shown against their names, and if so, whether the action of the management was justified? If it was not justified, to what relief are these workers entitled?

Name of the worker	*Date from which made idle*
1. Shri Khedan Mahato, Prop Mazdoor	8-11-65
2. Shri Raghu Mahato, Prop Mazdoor	8-11-65
3. Smt. Chinta Kamin, Picking/load	10-11-65
4. Smt. Magri Kamin, Picking/load	10-11-65
5. Smt. Sarola Kamin, Picking/load	10-11-65
6. Smt. Gagia Kamin, Picking/load	10-11-65
7. Smt. Somri Kamin, Picking/load	10-11-65
8. Smt. Anokhi Kamin, Picking/load	10-11-65
9. Sri Ramdeo Singh, Trammer	July, 1965
10. Sri Suchit Singh, Munshi	July, 1965
11. Sri Vidya Singh, Munshi	July, 1965
12. Sri Janeshwar Ram, Fireman	July, 1965
13. Sri Sonaram Manjhi, Trammer	March, 1965

[No. 2/57/66-LR.II.]

New Delhi, the 12th May 1966

S.O. 1505.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs Sesa Goa Private Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the management of Messrs Sesa Goa Private Limited was justified in granting leave without pay to Shri P. V. Mahatme on the 2nd and 3rd August, 1965?
2. If not, to what relief is the workman entitled?

[No. 24/18/66/LRI.]

S.O. 1506.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Digwadih Colliery of Messrs Tata Iron and Steel Company Limited Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the stoppage of work of Shri H. C. Chakraborty, Clerk, Central Bonus and Provident Fund Section of the Digwadih Colliery by the management of Messrs Tata Iron and Steel Company Limited with effect from the 22nd November, 1965, was justified? If not, to what relief is the workman entitled?

[No. 2/70/66-LRII.]

New Delhi, the 13th May 1966

S.O. 1507.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Govindpur Colliery, Post Office Katrasgarh, District Dhanbad and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the following 14 workmen were refused work by the management of the South Govindpur Colliery with effect from the 22nd November, 1965, and if so, whether it was justified? If the action of the management was not justified, to what relief are the workmen entitled?

1. Sri Magar Mahato, Trammer.
2. Shri China Mahato, Trammer.
3. Sri Jagdish Mahato, Trammer.
4. Sri Bachannath Singh, Trammer.
5. Sri Majhlu Majhi, Trammer.
6. Sri Jagan Majhi, Trammer.
7. Sri Mithu Mahato, Trammer.
8. Sri Chiltu Majhi, Trammer.
9. Shri Mangal Rajwar Trammer.

10. Sri Sundar Majhi, Trammer.
11. Sri Babura Mahato, Trammer.
12. Sri Baneswar Majhi, Trammer.
13. Sri Sudhir Mukherjee, Pump Khalasi.
14. Sri Fatick Mukherjee, Pump Khalasi.

[No. 2/55/66-LRII.]

New Delhi, the 16th May 1966

S.O. 1508.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri K. C. Ganguly, Typist, A.C.M.E's office, Jamadoba, by the management of the Tata Iron and Steel Company Limited with effect from the 18th January, 1966, was justified? If not, to what relief is the workman entitled?

[No. 2/78/66-LRII.]

S.O. 1509.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhowra Colliery, Post Office Bhowra, District Dhanbad and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Shambhu Mahato, Fan Khalasi, by the management of the Bhowra Colliery with effect from the 29th January, 1966, was justified? If not, to what relief is the workman entitled?

[No. 2/79/66-LRII.]

S.O. 1510.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Govindpur Colliery, Post Office Katrasgarh, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the stoppage of work in respect of the following 19 workmen with effect from the 29th November, 1965, by the management of the South Govindpur Colliery, Post Office Katrasgarh (District Dhanbad) was justified?

1. Shri Katl Turv, Line Mazdoor.
2. Shri Bhairo Mahato, Line Mazdoor.
3. Shri Gokul Pewani, Line Cleaner Mazdoor.
4. Shri Mhatir Mia, Line Cleaner Mazdoor.
5. Shri Nakul Rewani, Line Cleaner Mazdoor.

6. Shri Sibu Mahato, Line Mistry.
7. Shri Jito Rewani, Line Cleaner Mazdoor.
8. Shri Prasadi Roy, Pump Khalasi.
9. Shri Jagdish Roy, Trammer.
10. Shri Pusu Roy, Trammer.
11. Shri Jawad Hussain, Trammer.
12. Shri Mugan Roy, Trammer.
13. Shri Paran Mahato, Trammer.
14. Shri Gobardhan Roy, Trammer.
15. Moti Roy, Trammer.
16. Shri Khedan Roy, Trammer.
17. Smt. Bhikhni Kamin, Boiler Kamin.
18. Smt. Chhabi Kamin, Boiler Kamin.
19. Smt. Suradhani Kamin, Boiler Kamin.

If not, to what relief are these workmen entitled?

[No. 2/74/66-LRII.]

S.O. 1511.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kendwadih Colliery of Messrs Hurriladih Coal Company Limited, Post Office Bhaga, District Dhanbad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the cancellation of the apprenticeship of Shri Biswasjoti Biswas, Survey Apprentice, with effect from the 1st July 1965 by the management of Kendwadih Colliery of Messrs Hurriladih Coal Company Limited, was an act of victimisation? If so, to what relief is the workman entitled?

[No. 2/81/66-LRII.]

S.O. 1512.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Churulia Colliery, Post Office Churulia (Burdwan), and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Churulia Colliery was justified in stopping Shri Rambrich Singh, Chaprasi from work with effect from the 11th February, 1966? If not, to what relief is the workman entitled?

[No. 6/29/66-LRII.]

H. C. MANGHANI, Under Secy.

(Department of Labour & Employment)

New Delhi, the 11th May 1966

S.O. 1513.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri R. K. Varadanarayanan, a representative of the Madras Stevedores' Association as a member of the Madras Dock Labour Board and makes the following amendment in the notification of the Government

of India in the Ministry of Labour and Employment No. S.O. 310 dated 14th January, 1965, namely:—

In the said notification, under the heading *"Members representing the employers of dock workers and shipping companies"*, against item (2) for the entry "Shri P. Thandavakrishna Naidu", the entry "Shri R. K. Varadanarayanan" shall be substituted.

[No. 524/21/63-Fac.]

K. D. HAJELA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 16th May 1966

S.O. 1514.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory known as the Salem Magnesite Private Limited, Thattayangarpatti in Salem District in sparce area in the State of Madras hereby exempts it from the payment of the employer's special contribution leviable under Chapter V-A of the said Act until the enforcement of the provision of Chapter V of that Act in that area.

[No. F. 7(13)/65-HI.]

S.O. 1515.—In exercise of the powers conferred by section 73F of the Employee's State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the seasonal nature of the industry carried on in the factory, hereby exempts Narbada Valley Refrigerated Products Company (Private) Ltd., Bhopal, from the payment of the employers' special contribution leviable under Chapter V-A of the said Act for a further period of one year from the 1st May, 1966.

[No. F. 6(41)/65-HI.]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

ORDER

New Delhi, the 12th May 1966

S.O. 1516.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Union Co-operative Insurance Society Limited, Calcutta and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 147 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the management of the Union Cooperative Insurance Society Limited, Calcutta was justified in dismissing Shri Rabindra Nath Ghosh from service with effect from the 18th August, 1965?
2. If not, to what relief is the workman entitled?

[No. F. 70(2)/66-LRIV.]

CORRIGENDUM

New Delhi, the 10th May 1966

S.O. 1517.—In the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 566, dated the 9th February, 1966 published in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 19th

February, 1966 at pages 445 to 451 on page 450, in line 11 of paragraph 12, *for* "adhored" *read* "abhorred".

[No. F. 55(28)/65-LRIV.]

B. K. SAKSENA, Under Secy.

[Office of the Chief Labour Commissioner (c)]

ORDER

New Delhi, the 7th May 1966

S.O. 1518.—Whereas the Chief Labour Commissioner (Central) by his Order No. BO-25(3)/2/65, dated the 31st December, 1965, extended the period within which the bonus payable by Best Minerals Pvt. Ltd., Giripeth, Nagpur (India) to their employees for the accounting year ended on the 31st December, 1964 to twelve months from the close of the said accounting year;

And whereas an application has been received for a further extension of the period;

And whereas the Chief Labour Commissioner (Central) is satisfied that there are sufficient reasons so to do;

Now, therefore, in exercise of the powers conferred by the proviso to clause (b) of section 19 of the payment of Bonus Act, 1965 (21 of 1965), read with the notification of the Govt. of India in the Ministry of Labour and Employment No. WB-20(42)/65, dated the 28th August, 1965 I, Teja Singh Sahni, Chief Labour Commissioner (Central) hereby extend, the period within which the said bonus shall be paid by the said Management by a further period of five months.

[No. BO-25(3)2/65.]

TEJA SINGH SAHNI,
Chief Labour Commissioner (Central).

MINISTRY OF INDUSTRY

New Delhi, the 12th May 1966

S.O. 1519.—In exercise of the powers conferred by section 6 of the Salt Cess Act, 1953 (49 of 1953), the Central Government hereby makes the following rules, further to amend the Salt Cess Rules, 1964, namely:—

1. These rules may be called the Salt Cess (Amendment) Rules, 1966.

2. In the Salt Cess Rules, 1964,—

(i) in the third proviso to rule 5, for the figures, letters and word "6 P.M. and 6 A.M.", the figures, letters and word "9 P.M. and 6 A.M." shall be substituted;

(ii) in sub-rule (1) of rule 6, for the brackets, words and figures "(not less than 24 hours before the time at which salt is to be removed)", the brackets and words "(within the working hours of the factory office)" shall be substituted;

(iii) in sub-rule (2) of rule 7, for the portion beginning with the words "the salt may be allowed" and ending with the words and figures "variation being more than 2½ per cent,", the following words and figures shall be substituted, namely:—

"it may be ignored and the salt may be allowed to be taken to the destination. In case the variation is between 1 per cent and 4 per cent, the salt may be allowed to be removed to the destination on payment of cess on the excess quantity. In the event of the variation being more than 4 per cent,".

[No. 15(16)/54-Salt.]

R. S. CHADHA, Under Secy.

उद्योग मंत्रालय

अधिसूचना

मई दिल्ली, 12 मई 1966

एस० ओ० 1520.—लवण उपकर अधिनियम, 1953 (1953 का 49) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार लवण उपकर नियम, 1964 के अपर संशोधन के लिए, निम्नलिखित नियम एतद्द्वारा बनाती है, अर्थात् :—

1—ये नियम लवण उपकर (संशोधन) नियम, 1966 कहे जा सकेंगे ।

2—लवण उपकर नियम, 1964 में—

(i) नियम 5 के तीसरे परन्तुक में "6 बजे सायं और 6 बजे प्रातः" अंकों, अक्षरों और शब्दों के स्थान पर "9 बजे रात्रि और 6 बजे प्रातः" अंक, अक्षर और शब्द रख दिये जाएंगे ।

(i) नियम 6 के उप-नियम (1) में ("उस समय से जिस समय लवण हटाया जाना है अव्यून 24 घंटे पूर्व)" कोष्ठकों, शब्दों और अंकों के स्थान पर "(कारखाने के कार्यालय के काम के घंटों के अन्दर)" कोष्ठक, शब्द और अंक रख दिये जाएंगे ।

(iii) नियम 7 के उप-नियम (2) में, "तो लवण गंतव्य स्थान को ले जाने दिया जाएगा" शब्दों से आरम्भ होने और "फर्क के 2 1/2 प्रतिशत से अधिक होने की दशा में" शब्दों और अंकों से समाप्त होने वाले प्रभाग के स्थान पर निम्नलिखित शब्द और अंक रख दिये जाएंगे :—

"तो उसकी उपेक्षा की जा सकेगी और लवण गंतव्य स्थान को ले जाने दिया जाएगा । उस दशा में जिसमें फर्क 1 प्रतिशत और 4 प्रतिशत के बीच है, लवण अतिरिक्त मात्रा पर उपकर देने पर गंतव्य स्थान को हटाने दिया जाएगा । फर्क के 4 प्रतिशत से अधिक होने की दशा में,"

[सं० 15 (16)/54—लवण]

आर० एस० चड्ढा,
अवर सचिव (भारत सरकार) ।

(Indian Standards Institution)

New Delhi, the 29th April 1966

S.O. 1521.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that amendment to the Indian Standard given in the Schedule hereto annexed, has been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1	IS:1239-1964 Specification for mild steel tubes and tubulars (*revised*)	S.O. 895 dated 20 March 1965	No. 2, 7 March 1966	Clause 10·1, lines 5 and 6, last sentence—Delete the last sentence and the foot-note marked with an asterisk at the bottom of the page.	Immediate effect.

Copies of this amendment slip are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9Bahadur Shah Zaffar Marg, New Delhi-1 and also its branch offices at (i) Bombay Mutual Terrace, First Floor, 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Third and Fourth Floors, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2 and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:5.]

D. DAS GUPTA,
Director (Marks).

(Indian Standards Institution)

New Delhi, the 11th May 1966

S.O. 1522.—In continuation of the then Ministry of Industry & Supply (Indian Standards Institution) Notification published under S.O. 736, dated 23rd February 1965 in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 6 March 1965 this Institution hereby notifies that IS: 10-1953 Specification for Plywood Tea-Chests (*Revised*) shall continue to remain in force concurrently with IS: 10-1964 Specification for Plywood Tea-Chests (*Second Revision*) till 31 December 1966.

[No. MD/13:2.]

D. V. KARMARKAR, Dy. Director General (Marks)

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

ORDER

STAMPS

New Delhi, the 21st May 1966

S.O. 1523.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the stamp duty with which the bonds of the value of one crore of rupees (subject to a retention margin of 10%) to be issued by the Gujarat State Financial Corporation are chargeable under the said Act.

[No. 10/66-F. No. 1/27/66-Cus. VII-Stamps.]

M. G. VAIDYA, Under Secy.

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